

01-16-01

A

NEW, CONTINUATION, DIVISIONAL OR
CONTINUATION-IN-PART APPLICATION
UNDER 37 C.F.R. §1.53(b)

Attorney Docket No. 4041J-000354

Express Mail Label No. EL 684 107 155 US

Date January 12, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R §1.53(b) is a patent application for:

AIR PASSAGE SWITCHING DEVICE AND VEHICLE AIR CONDITIONER

identified by: ☒ First named inventor Koichi Ito
or ☒ Attorney Docket No. (see above)

1. Type of Application

- ☒ This application is a new (non-continuing) application.
☐ This application is a ☐ continuation / ☐ divisional / ☐ continuation-in-part of prior application No. _____. Amend the specification by inserting before the first line the sentence:

--This is a [continuation/division/continuation-in-part] of United States patent application No. _____, filed _____.--

- ☐ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

If for some reason applicant has not requested a sufficient extension of time in the parent application, and/or has not paid a sufficient fee for any necessary response in the parent application and/or for the extension of time necessary to prevent the abandonment of the parent application prior to the filing of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 08-0750 for any fee that may be due. THIS FORM IS BEING FILED IN TRIPLICATE: one copy for this application; one copy for use in connection with the Deposit Account (if applicable); and one copy for the above-mentioned parent application (if any extension of time is necessary).

2. Contents of Application

- a. ☒ Specification of 37 pages;
☐ A microfiche computer program (Appendix);
☐ A nucleotide and/or amino acid sequence submission;
- ☐ Because the enclosed application is in a non-English language, a verified English translation ☐ is enclosed ☐ will be filed.
- ☐ Cancel original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing date purposes.)
- b. ☒ Drawings on 14 sheets;

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- c. ☒ A signed Oath/Declaration is enclosed.

The enclosed Oath/Declaration is newly executed.

- d. ☐ Form PTO/SB/35, a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i), requesting non-publication of this application, is enclosed.

e. **Fees**

FILING FEE	Number		Number		Basic Fee	
CALCULATION	Filed		Extra		Rate	\$710.00
Total Claims	12	- 20 =	0	×	\$18.00 =	
Independent Claims	3	- 3 =	0	×	\$80.00 =	
Multiple Dependent Claim(s) Used					\$270.00 =	
FILING FEE - NON-SMALL ENTITY						\$710.00
FILING FEE - SMALL ENTITY: Reduction by 1/2						
<input type="checkbox"/> Verified Statement under 37 C.F.R. §1.27 is enclosed.						
<input type="checkbox"/> Verified Statement filed in prior application.						
Assignment Recordal Fee (\$40.00)						\$40.00
37 C.F.R. §1.17(k) Fee (non-English application)						
TOTAL						\$750.00

- ☒ A check is enclosed to cover the calculated fees. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 08-0750. A duplicate copy of this document is enclosed.

- ☐ The calculated fees will be paid within the time allotted for completion of the filing requirements.

- ☐ The calculated fees are to be charged to Deposit Account No. 08-0750. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account. A duplicate copy of this document is enclosed.

3. **Priority Information**

- ☒ **Foreign Priority:** Priority based on Japanese Application No. 2000-9966 filed January 13, 2000; and Japanese Application No. 2000-105277 filed April 6, 2000, is claimed.

- ☒ A copy of the above referenced priority document will be filed in due course, pursuant to 35 U.S.C. §119(a)-(d).

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- ☐ **Provisional Application Priority:** Priority based on United States Provisional Application No. _____, filed _____, is claimed under 35 U.S.C. §119(e).

4. **Other Submissions**

☒ A Preliminary Amendment is enclosed.

☐ An Information Disclosure Statement, _____ sheet of PTO Form 1449, and _____ patent(s)/publications/documents are enclosed.

☒ A power of attorney

☒ is submitted with the new Oath/Declaration.

☐ is of record in the prior application and ☐ is in the original papers / ☐ a copy is enclosed.

☒ An Assignment of the invention

☒ is enclosed with a cover sheet pursuant to 37 C.F.R. §§3.11, 3.28 and 3.31.

☐ is of record in a prior application. The assignment is to _____, and is recorded at Reel _____, Frame(s) _____.

☐ An Establishment of Assignee's Right To Prosecute Application Under 37 C.F.R. §3.73(b), and Power Of Attorney is enclosed.

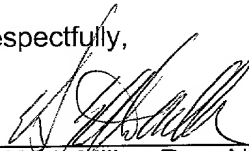
☒ An Express Mailing Certificate is enclosed.

☐ Other: _____

Attention is directed to the fact that the correspondence address for this application is:

Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
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Respectfully,



H. Keith Miller, Reg. No. 22,484
Michael J. Schmidt, Reg. No. 34,007

Date: January 12, 2001
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January 12, 2001

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

EXPRESS MAILING CERTIFICATE

Applicants: Koichi Ito
Haruki Ikuta
Toshio Torii

For: **Air Passage Switching Device And
Vehicle Air Conditioner**


Docket: 4041J-000354

Attorney: H. Keith Miller
Michael J. Schmidt

"Express Mail" Mailing Label Number..... **EL 684 107 155 US**

Date of Deposit..... **January 12, 2001**

I hereby certify and verify that the accompanying Transmittal Letter (in duplicate), 37 page Patent Application with executed Declaration and Power of Attorney, 14 sheets of formal Drawings showing Figures 1 – 13, Assignment with Cover Sheet for Document Recordal, Preliminary Amendment, and a Check for \$750.00 are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.



Rose Saul